UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES CORPORATION,
 	
          Plaintiff,
 	
          v.
 	
JEFF S. SMITH,
 	
          Defendant.
	No. 17 Civ. 5808
	
	~~[PROPOSED]~~ ORDER TO SEAL

Upon the Summons and Complaint of Plaintiff International Business Machines Corporation ("IBM") and the application by IBM for the entry of an Order, pursuant to Rule 26(c)(1) of the Federal Rules of Civil Procedure, providing for filing under seal certain materials to be submitted in connection with this action, the memorandum of law in support, and the Court having read and considered the Declaration of Arvind Krishna, dated July 31, 2017 and the Declaration of Pietro J. Signoracci, dated July 31, 2017; and good and sufficient reason appearing to me therefore;

THEREFORE, it is on this _2d_ day of August, 2017;

ORDERED that:

(1) IBM's application for leave to file its Application for a Temporary Restraining Order and Preliminary Injunction and accompanying papers under seal is granted;

(2) IBM shall file _[publicly on the ECF system]_ ~~with the Court~~ redacted copies of its Application for a Temporary Restraining Order and Preliminary Injunction and accompanying papers by August 4, 2017, _with the redactions limited to trade secrets and confidential information;_

(3) Defendant shall follow the same process - filing unredacted papers under seal; filing publicly on ECF redacted copies; confining redactions to trade secrets or confidential information; and providing unredacted hard copies to chambers - with respect to any of his filings; and

(3) the Court shall seal IBM trade secrets and confidential information and the portions of the injunction proceedings related to IBM trade secrets and confidential information; and

(expects to)   (only)

(4) the Court shall close to the public those portions of the injunction proceedings related to IBM trade secrets and confidential information.

and to seal only those portions of exhibits, that would reveal

IT IS SO ORDERED.

Dated: August 2, 2017.
　　　White Plains, New York

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　　　　　　　　　Cathy Seibel
　　　　　　　　　U.S.D.J.

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